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10/735,007	12/12/2003	Won Ho Chun	2080-3-202	2302

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EXAMINER

ZHAO, DAQUAN

ART UNIT	PAPER NUMBER
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2621

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/735,007	CHUN, WON HO	
	Examiner	Art Unit	
	Daquan Zhao	2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 December 0203.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1, 2, 7, 8 are rejected under 35 U.S.C. 102(e) as being anticipated by Ko (US 7,051,280 B1).

For claim 1, Ko teaches an apparatus for reserve-recording a broadcast program of a television, wherein a broadcast program desired to be recorded by a user is reserve-recorded on the basis of a color code having broadcast program information (e.g. column 4, lines 7-12, teach the color identifying the title of the reserve-recorded program, also see column 5, lines 24-37. The subject matter of a properly construed claim is defined by the terms that limit its scope. It is this subject matter that must be examined. As a general matter, the grammar and intended meaning of terms used in a claim will dictate whether the language limits the claim scope. Language that suggests or makes optional but does not require steps to be performed or does not limit a claim to a particular structure does not limit the scope of a claim or claim limitation. See MPEP

2106 [R-6] II. C. the limitations after "for" was not given any patentable weight by the examiner).

Claim 7 is rejected for the same reasons as discussed in claim 1 above.

For claims 2 and 8, reserve-recording information of the user-desired broadcast program is read from EPG (Electronic Program Guide) data corresponding to the color code and the read reserve-recording information is recorded on a reserve-recording list of the television (e.g. column 4, lines 21-37, and figure 5).

2. Claims 1, 2, 7, 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Ward et al (US 2005/0,010,949 A1).

For claim 1, Ward et al teach an apparatus for reserve-recording a broadcast program of a television, wherein a broadcast program desired to be recorded by a user is reserve-recorded on the basis of a color code having broadcast program information (e.g. paragraphs [0150]-[0151] and paragraph [0192]-[0193]).

Claim 7 is rejected for the same reasons as discussed in claim 1 above.

For claims 2 and 8, reserve-recording information of the user-desired broadcast program is read from EPG (Electronic Program Guide) data corresponding to the color code and the read reserve-recording information is recorded on a reserve-recording list of the television (e.g. paragraphs [0150]-[0151] and paragraph [0192]-[0193]).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims ~~3~~, 4, 6, ~~8~~, 10 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ko (US 7,051,280 B1) as applied to claims 1, 2, 7, 8 above, and further in view of Tani (US 2004/0,041,026 A1).

See the teaching of Ko above.

For claims 4 and 10, Ko teaches a means for storing the EPG (Electronic Program Guide) data (e.g. column 1, lines 56-64);

a means for receiving EPG data corresponding to the value of the photographed color code or gray code from the EPG data storing means (e.g. column 5, lines 24-37, the title "titanic" corresponds to the "EPG data" which is identified by the violet color), parsing the user-desired reserve-recording information from the received EPG data (e.g. column 2, lines 7-15) ; and recording the parsed reserve-recording information on the reserve-recording list (e.g. system must have storage for storing the "reserve-recording" program, column 5, lines 33-37).

However, Ko fails to teach a means for photographing a color code or a gray code having the broadcast program information; Tani teach a means for photographing a color code or a gray code having the broadcast program information (e.g. figure 3,

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CCD camera, paragraph [0029]-[0030]); It would have been obvious to one ordinary skill in the art at the time the invention was made to incorporate the teaching of Tani into the teaching of Ko to increase the density for the information to be recorded (Tani, paragraph [0002]-[0004]).

For claims 6 and 12, Ko teaches a broadcast data and broadcast time of the broadcast program (e.g. figure 7, "today: 99,6.1(Mon.)").

5. Claims 3 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ward et al (US 2005/0,010,949 A1) as applied to claims 1, 2, 7, 8 above, and further in view of Kaizu et al (US 2002/0,097,985 A1).

For claims 3 and 9, Ward et al fail to teach a reserve-recording completion message. Kaizu et al teach a reserve-recording completion message (e.g. paragraph [0128], recording end time). It would have been obvious to one ordinary skill in the art at the time the invention was made to incorporate the teaching of Kaizu et al into the teaching of Ward et al for user's convenience.

6. Claims 5 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ko (US 7,051,280 B1) as applied to claims 1, 2, 7, 8 above, and further in view of Ward et al (US 2005/0,010,949 A1).

For claims 5 and 11, Ko fails to teach outputting a message relate to reserve-recording information of the broadcast program on a screen. Ward et al teach outputting a message relate to reserve-recording information of the broadcast program on a screen (e.g. paragraph [0137]). It would have been obvious to one ordinary skill in the

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art at the time the invention was made to incorporate the teaching of Ward et al into the teaching of Ko for user's convenience.

7. Claims 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ward et al (US 2005/0,010,949 A1) and further in view of Tani (US 2004/0,041,026).

For claim 16, a method for reserve-recording a tv broadcast program comprising: reading EPG (Electronic program Guide) data corresponding to the color code from a EPG database (e.g. paragraph [0192]-[0193]); parsing reserve-recording information of reserve-recording information of a broadcast program desired to be recorded by a user from the read EPG data (e.g. paragraph [0150]-[0151]); recording the parsed reserve-recording information on a reserve-recording list (e.g. paragraph [0150]-[0151]); and displaying a message related to the reserve-recording information and the reserve-recording list on a screen (e.g. paragraph [0137], The subject matter of a properly construed claim is defined by the terms that limit its scope. It is this subject matter that must be examined. As a general matter, the grammar and intended meaning of terms used in a claim will dictate whether the language limits the claim scope. Language that suggests or makes optional but does not require steps to be performed or does not limit a claim to a particular structure does not limit the scope of a claim or claim limitation. See MPEP 2106 [R-6] II. C. the limitations after "for" was not given any patentable weight by the examiner).

However, Ward et al fail to teach photographing a color code. Tani teaches photographing a color code (e.g. figure 3, CCD camera, paragraph [0029]-[0030]); It would have been obvious to one ordinary skill in the art at the time the invention was made to incorporate the teaching of Tani into the teaching of Goldman to increase the density for the information to be recorded (Tani, paragraph [0002]-[0004]).

For claim 17, Ward et al teaches a broadcast date and a broadcast time of the broadcast program (e.g. paragraph [0153]).

8. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ward et al (US 2005/0,010,949 A1) and Tani (US 2004/0,041,026) as applied to claims 16 and 17 above, and further in view of Labeeb et al (US 2003/0,093,792 A1).

For claim 18, Ward et al and Tani fail to teach generating an address indicating the EPG data and reading the EPG data corresponding to the generated address from the previously stored EPG database. Labeeb et al teach generating an address indicating the EPG data and reading the EPG data corresponding to the generated address from the previously stored EPG database (e.g. paragraph [1117] and [1121]). It would have been obvious to one ordinary skill in the art at the time the invention was made to incorporate the teaching of Labeeb et al into the teaching of Ward et al and Tani to increase the retrieval speed of the EPG data.

9. Claims 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goldman (US 2002/0,112,239 A1) and further in view of Tani (US 2004/0,041,026).

For claim 13, Goldman teaches an apparatus for reserve-recording a TV broadcast program, comprising:

an EPG (Electronic Program Guide) database for previously storing EPG data (e.g. figure 1, paragraph [0033], [0029]);

a cable modem for receiving EPG data corresponding to the color code from the EPG database (e.g. figure 6, Modem 66, paragraph [0066]);

a decoding unit for receiving reserve-recording information of a broadcast program desired to be recorded by a user from the EPG data received from the EPG database through the cable modem, and recording the read reserve-recording information on a reserve-recording list (e.g. figure 6, signal decoder 72); and

a user interface for outputting a message related to the reserve-recording information of the broadcast program and the reserve-recording list through an on screen display on a screen (e.g. e.g. paragraph [0022], paragraph [0039], The subject matter of a properly construed claim is defined by the terms that limit its scope. It is this subject matter that must be examined. As a general matter, the grammar and intended meaning of terms used in a claim will dictate whether the language limits the claim scope. Language that suggests or makes optional but does not require steps to be performed or does not limit a claim to a particular structure does not limit the scope of a claim or claim limitation. See MPEP 2106 [R-6] II. C. the limitations after “for” was not given any patentable weight by the examiner).

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However, Goldman fails to teach a camera for photographing a color code having broadcast program information. Tani teaches a camera for photographing a color code having broadcast program information. (e.g. figure 3, CCD camera, paragraph [0029]-[0030]); It would have been obvious to one ordinary skill in the art at the time the invention was made to incorporate the teaching of Tani into the teaching of Goldman to increase the density for the information to be recorded (Tani, paragraph [0002]-[0004]).

For claim 14, Goldman teaches a broadcast date and a broadcast time of the broadcast program (e.g. paragraph [0034]).

10. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Goldman (US 2002/0,112,239 A1) and Tani (US 2004/0,041,026) as applied to claims 13 and 14 above, and further in view of Labeeb et al (US 2003/0,093,792 A1).

For claim 15, Goldman and Tani fail to teach generating an address indicating the EPG data and reading the EPG data corresponding to the generated address from the previously stored EPG database. Labeeb et al teach generating an address indicating the EPG data and reading the EPG data corresponding to the generated address from the previously stored EPG database (e.g. paragraph [1117] and [1121]). It would have been obvious to one ordinary skill in the art at the time the invention was made to incorporate the teaching of Labeeb et al into the teaching of Goldman and Tani to increase the retrieval speed of the EPG data.

Conclusion


11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Schaffer (WO 02/07433 A1); Hassel (WO 00/27122); Mitsuhashi et al (US 6,535,631 B1).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daquan Zhao whose telephone number is (571) 270-1119. The examiner can normally be reached on M-Fri. 7:30 -5, alt Fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tran Thai Q, can be reached on (571)272-7382. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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